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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES,

Plaintiff,

vs.

HAO ZHANG, ET AL.,

Defendants.

Case No.: CR 15-00106 EJD

**JOINT STATUS CONFERENCE
STATEMENT**

Date: June 20, 2016
Time: 1:30 p.m.

The parties in the above-entitled action hereby submit this joint status conference statement to assist the Court with respect to the June 20, 2016 status conference. At the previous status conference before this Court on March 7, 2016, the Court ordered that this joint statement be filed no later than June 13, 2016.

The parties continue to be engaged in the discovery process. In the weeks leading up to this hearing, the Government has produced additional discovery, which includes translations of emails and documents.

1 In addition, the parties continue to meet and confer regarding the emails of Avago
2 Technologies company employees that the Government is permitting defense counsel to review only
3 at one secured computer terminal at the FBI field office in Palo Alto, CA. The parties reached an
4 agreement on a process for reviewing and printing the emails of Avago Technologies company
5 employees, the terms of which are memorialized in a sealed filing under Docket 47 in this case. The
6 defense has spent approximately 25 hours at the FBI field office reviewing these emails. Ongoing
7 access to these emails is necessary for defense counsel to continue their review.
8

9 In addition, the defense has initiated third-party discovery pursuant to Federal Rule of
10 Criminal Procedure 17(c). Issues related to the Rule 17(c) discovery process are currently being
11 litigated before the Magistrate Judge.
12

13 Defendant Zhang remains in good standing with Pretrial Services. He is subject to GPS
14 monitoring at a residence in Mountain View, CA. On May 24, 2016, Magistrate Judge Cousins
15 signed an order permitting Prof. Zhang to leave the property between the hours of 9:00 a.m. and 6:00
16 p.m. each day to conduct lawful activity.

17 Defense counsel has also been in contact with Defendant Zhang's employer, Tianjin
18 University, regarding the possibility of seeking Pretrial Services' approval for an arrangement that
19 would allow Defendant Zhang to resume teaching a small number of his students who are studying
20 topics unrelated to the technology at issue in this case. This teaching would be done by email,
21 phone, or video conference, and would be subject to monitoring by Pretrial Services. Defense
22 counsel expects to develop a more detailed proposal and present it to Pretrial Services in the coming
23 weeks.
24

25 Due to the volume of discovery produced by the Government and the defense team's need to
26 review that discovery and conduct additional investigation and preparation, the parties anticipate
27 that, at the at the June 20, 2016, status conference, they will jointly request that this Court set a
28

1 further status conference in approximately 90 days, and to exclude time pursuant to the Speedy Trial
2 Act for that time period.
3

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5 Dated: June 13, 2016

NOLAN BARTON BRADFORD & OLMOS LLP

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7 /S/

8 Thomas J. Nolan
9 Attorney for Defendant Hao Zhang

10 Dated: June 13, 2016

11 /S/

12 Matthew A. Parrella
13 Assistant United States Attorney
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